

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, August 15, 2016, at 7:00 p.m. in Council Chambers.

Members Present: Heath, Kendall, Oda, Phillips, Terwilliger, Tremblay and Twiss.

Upon motion of Mr. Phillips, seconded by Mr. Kendall, Mrs. Snee was excused from this meeting by unanimous roll call vote.

Upon motion of Mr. Phillips, seconded by Mr. Twiss, Mr. Schweser was excused from this meeting by unanimous roll call vote.

Presiding Officer: Martha A. Baker

President of Council

Others Present:

John Frigge

Auditor

Patrick E. J. Titterington

Director of Public Service and Safety

Grant D. Kerber

Director of Law

INVOCATION: The meeting began with an invocation given by Mr. Terwilliger, followed by the Pledge of Allegiance.

MINUTES: The Clerk gave a summary of the minutes of the August 1, 2016 meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Phillips, seconded by Mr. Twiss, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Finance Committee: Mr. Kendall, Chairman, reported that Committee recommends that the recommendation of the Loan Review Committee be supported and that legislation be prepared to provide for SmithFly Designs LLC to assume the loan that was originally made to Charles Sturwold subject to the original conditions of the loan. So that the loan assumption can be completed as soon as possible and SmithFly Designs LLC takes possession of the property at 210 E. Water Street, Committee supports emergency legislation.

Report signed by Kendall and Tremblay.

Discussion. In response to Mrs. Oda, it was stated the 210 E. Water Street property is located behind that now known as the Hobart Community Soup Kitchen.

Law & Ordinance Committee: Mr. Phillips reported as follows:

1. Committee recommends legislation be prepared to authorize the Director of Public Service and Safety to enter into an agreement with Troy Main Street for the 2016 Taste of Troy event to include the beer garden area, with notwithstanding wording part of the legislation.

Discussion. Mrs. Oda noted that persons under the age of 21 would not be permitted to be in the Taste of Troy beer garden area but are allowed to be in the enclosed alcohol area at Treasure Island Park events and stated this seems contradictory. Mr. Titterington replied that as the Mayor wishes to maintain the family friendly atmosphere of the downtown the age limit for the Taste of Troy beer garden is part of the agreement for 2016, but is willing to look at if there should be changes in future years. He also noted that a new state law will be in effect next year that may impact how temporary alcohol permits are handled and the area they cover in general.

2. Committee recommends O-34-2016 be adopted, providing for the rezoning of part of OLs 119 and 120 from R-5, Single Family Residential District, to M-2, Light Industrial District. It was noted that as Mr. Schweser serves on the Board of Directors for Habitat for Humanity, the owner of the property, he abstained from discussions/recommendations on the subject.

Reports signed by Phillips.

Personnel Committee: Mr. Terwilliger gave the oral report that Mayor Beamish has requested Council to approve six reappointments to the City Beautification Committee for new terms starting immediately and ending 7-1-2018. A motion was made by Mr. Terwilliger, seconded by Mr. Kendall, that Council approves the reappointment of the following to the City Beautification Committee for new terms ending 7-1-2018: Gareth Johnston, Deborah Kappers, Rosaleen Rayman, Bill Miller, Karol McCarthy, and Pamela Dalton.

Motion passed by unanimous roll call vote.

Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends legislation be prepared authorizing the Ohio Department of Transportation (ODOT) consent legislation for ODOT to pave areas of East SR 41 and West SR 41 within the City of Troy during FY 2017 at no cost to the City. Based on the ODOT format, Committee supports emergency legislation

Report signed by Phillips and Heath.

Discussion. In response to Mrs. Oda about the areas of SR 41 that would be paved by ODOT, Mr. Titterington commented this would be at the City limits.

CITIZEN COMMENTS: None.

RESOLUTION NO. R-33-2016

A RESOLUTION AUTHORIZING CONSENT AND COOPERATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF STATE ROUTE 41 EAST AND STATE ROUTE 41 WEST WITHIN THE RIGHT-OF-WAY OF THE CITY OF TROY, OHIO IN FY 2017 AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Twiss.

Yes: Tremblay, Phillips, Terwilliger, Oda, Twiss, Heath and Kendall.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Phillips.

Yes: Phillips, Terwilliger, Oda, Twiss, Heath, Kendall and Tremblay.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-34-2016

RESOLUTION APPROVING THE APPLICATION OF SMITHFLY DESIGNS LLC TO ASSUME A LOAN FROM THE SMALL BUSINESS DEVELOPMENT REVOLVING LOAN FUND TO CHARLES S. STURWOLD AND DECLARING AN EMERGENCY

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Terwilliger, Oda, Twiss, Heath, Kendall, Tremblay and Phillips.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Kendall.

Yes: Oda, Twiss, Heath, Kendall, Tremblay, Phillips and Terwilliger.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-34-2016

ORDINANCE CHANGING THE ZONING OF PART OF OUTLOTS 119 AND 120 (PARCEL NO. D08-096930) IN THE CITY OF TROY, OHIO FROM THE ZONING OF R-5, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO M-2, LIGHT INDUSTRIAL DISTRICT

This Ordinance was given first title reading on July 18, 2016.

Given public hearing and second title reading on August 1, 2016.

Given third title reading.

Mr. Phillips moved for adoption. Motion seconded by Mr. Twiss.

Yes: Twiss, Heath, Kendall, Tremblay, Phillips, Terwilliger and Oda.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-41-2016

ORDINANCE AUTHORIZING THE USE OF PUBLIC AREAS FOR THE 2016 TASTE OF TROY EVENT, NOTWITHSTANDING CONFLICTING PROVISIONS OF THE TROY CODIFIED ORDINANCES, AND FURTHER APPROVING THE USE OF A PORTION OF THE AREA FOR THE SALE OF BEER AND WINE, SUBJECT TO THE ISSUANCE OF PROPER PERMITS BY THE STATE OF OHIO AND PROCUREMENT OF LIQUOR LIABILITY INSURANCE AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY OF THE CITY OF TROY, OHIO TO ENTER INTO AN AGREEMENT THEREFOR, AND DECLARING AN EMERGENCY

This Ordinance was given first title reading.

Mr. Phillips moved for suspension of rules requiring three readings. Motion seconded by Mr. Heath.

Yes: Heath, Kendall, Tremblay, Phillips, Terwilliger, Oda and Twiss.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Tremblay.

Yes: Kendall, Tremblay, Phillips, Terwilliger, Oda and Heath.

No: Twiss.

ORDINANCE ADOPTED

ORDINANCE NO. O-42-2016

ORDINANCE CHANGING THE ZONING OF INLOT 7504 (PARCEL DO8-101146) IN THE CITY OF TROY, OHIO, FROM THE ZONING OF M-2, LIGHT INDUSTRIAL DISTRICT, TO B-2 GENERAL BUSINESS DISTRICT

This Ordinance was given first title reading.

ORDINANCE NO. O-43-2016

ORDINANCE CHANGING THE ZONING OF PART OF INLOT 9891 (PARCEL D45-002549) IN THE CITY OF TROY, OHIO, FROM THE ZONING OF A-R, AGRICULTURE-RESIDENTIAL DISTRICT, AND R-1, SINGLE FAMILY RESIDENTIAL DISTRICT, TO THE SINGLE ZONING CLASSIFICATION OF R-1, SINGLE FAMILY RESIDENTIAL DISTRICT

This Ordinance was given first title reading.

COMMENTS OF DIRECTOR OF PUBLIC SERVICE AND SAFETY:

Mr. Titterington noted that the next meeting will be September 6 due to the Labor Day Holiday.

COMMENTS OF THE PRESIDENT OF COUNCIL:

Mrs. Baker noted that the Mayors' Concert will be held August 21.

COMMENTS OF MEMBERS OF CONCIL:

-Mr. Heath noted that the Festival of Nations event will be held August 20.

-Mrs. Oda asked if there was an update regarding the Sherwood Shopping Center. Mr. Titterington replied that the owner is doing some property maintenance work requested by the City, but there is no information related to possible tenants.

There being no further business, Council adjourned at 7:25 p.m.